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BY ECF

The Honorable Gregory H. Woods
United States District Court Judge
United States Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

**Re: United States v. Elliot Martinez
19 CR 477 (GHW)**

Dear Judge Woods:

Defense counsel for the Defendant, Elliot Martinez, respectfully requests a 90-day adjournment of the Defendant's sentencing. Currently, Mr. Martinez's sentencing hearing is scheduled for June 4, 2020.

At the onset of the instant COVID-19 pandemic, Mr. Martinez plead guilty to one count pursuant to 21 USC 846 (b)1(B). The undersigned counsel has not had the opportunity to have a meaningful attorney-client meeting to discuss the following processes, which the undersigned believes is most prudent, prior to a pre-sentence investigation interview being conducted. In light of the lack of meaningful communication, an interview has not yet been completed and the undersigned objects to having the same completed via telephone.

Although, Mr. Martinez does not wish to utilize the instant pandemic to his benefit, and understands his wrongdoing, the BOP has been negligent when attending to Mr. Martinez, while he fights through his flu like symptoms. Most importantly, it has recently come to the undersigned attention that Mr. Martinez has been hospitalized, for the aforesaid symptoms. It is unclear whether Mr. Martinez was exposed and infected with COVID-19 while incarcerated at MCC New York. While housed at MCC, Mr. Martinez was in close quarters with other inmates which are known COVID-19 patients. In light of the facts stated above, the undersigned respectfully requests that any in person interview which occurs

in the future, occurs subsequent to a 14-day quarantine period, from Martinez's release from the hospital.

Therefore, the undersigned counsel on behalf of Mr. Martinez and with the consent of the Government respectfully requests the Court for a 90-day adjournment of Mr. Martinez's sentencing. Within a 90-day period, the undersigned believes that the impact of COVID-19 will subside and MCC New York will reopen for attorney-client visits which will allow the PSR to be conducted in a safer environment for all involved.

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Application granted. The sentencing scheduled for June 4, 2020 is adjourned to September 8, 2020 at 12:00 p.m. The defendant's sentencing submissions are due no later than August 25, 2020; the Government's sentencing submissions are due no later than September 1, 2020.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 31.

SO ORDERED

May 6, 2020

GREGORY H. WOODS
United States District Judge